

SENATE JOINT RESOLUTION 615

By Massey

A RESOLUTION to congratulate the Department of Children's Services upon the successful conclusion of the Brian A. lawsuit.

WHEREAS, this General Assembly is resolute in its belief that government is responsible for the care and protection of our most vulnerable citizens, such as those children who are in foster care and thus dependent on the State for their safety and nurturing; and

WHEREAS, legal action was brought in the United States District Court in 2000 by the child care advocacy organization Children's Rights on behalf of a young boy known as Brian A., a nine-year-old from Memphis; the lawsuit alleged that the State had failed to adequately provide for Brian A.'s education and safety while he was in foster care; and

WHEREAS, for seventeen years, plaintiffs and defendants worked together under the supervision of the court to bring about fundamental changes in Tennessee's foster care system, and the State spent hundreds of millions of dollars on program improvements; and

WHEREAS, more importantly, the State implemented a systematic approach to placing foster children in homes instead of institutions, a vital step in improving a child's life; and

WHEREAS, the State of Tennessee's sustained compliance with court-ordered improvements demonstrated that systematic child welfare reform is achievable and sustainable; and

WHEREAS, the dedicated efforts and hard work of the Department of Children's Services (DCS) staff, and especially former Commissioner Jim Henry and current Commissioner Bonnie Hommrich, have made possible the settlement of this hallmark case and restored the public's confidence in the State's foster care system; and

WHEREAS, U.S. District Court Judge Waverly Crenshaw recently ruled that the Department of Children's Services had sufficiently improved the foster care system to justify its operation without federal oversight; State funds previously earmarked for legal fees will now be reallocated to DCS programs; and

WHEREAS, the State of Tennessee, through its host of public servants who have brought about meaningful improvement in the lives of foster children by placing them in actual homes, should be commended for accomplishing closure in this lengthy, complex, and worthy litigation, which has brought about improved well-being for many Tennesseans; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED TENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that we congratulate the Department of Children's Services upon the successful conclusion of the Brian A. lawsuit via the cessation of federal oversight, thanking all parties involved for bringing about significant improvements in the care, education, and safety of Tennessee's foster children.

BE IT FURTHER RESOLVED, that an appropriate copy of this resolution be prepared for presentation with this final clause omitted from such copy.